PTO/SB/08a (08-03) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)

	Application Number		10771094	
	Filing Date First Named Inventor Gross		2004-02-02	
			3	
	Art Unit		3621	
	Examiner Name Attorney Docket Number			
			JNG 2004-4	

				U.S.	PATENTS	Remove
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
/DR/	1	6496816		2002-12-17	Thiesson et al.	
	2	6487541		2002-11-26	Aggarwal et al.	
	3	6484123		2002-11-19	Srivastava	
000000000000000000000000000000000000000	4	6412012		2002-06-25	Bieganski et al.	
	5	6389372		2002-05-14	Glance et al.	
	6	6334127		2001-12-25	Bieganski et al.	
	7	6321221		2001-11-20	Bieganski	
/DR/	8	6308168		2001-10-23	Dovich et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT I)

(Not for submission	under 37	CFR	1.99)
---------------------	----------	-----	-------

Application Number	10771094
Filing Date	2004-02-02
First Named Inventor	Gross
Art Unit	3621
Examiner Name	
Attorney Docket Number	JNG 2004-4

/DR/	9	6286139	2001-09-04	Decinque	
	10	6236985	2001-05-22	Aggarwal	
	11	6112186	2000-08-29	Bergh et al.	
	12	6108493	2000-08-22	Miller et al.	
	13	6092049	2000-07-18	Chislenko et al.	
	14	6067562	2000-05-23	Goldman	
	15	6065042	2000-05-16	Reimer	
	16	6049777	2000-04-11	Sheena et al.	
	17	6041311	2000-03-21	Chislenko et al.	
	18	6029161	2000-02-22	Lang et al.	
/DR/	19	6012052	2000-01-04	Altschuler et al.	

EFS Web 1.0

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DR/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT))

(Not for submission	ı under 37	CFR 1	1.99)
---------------------	------------	-------	-------

Application Number		10771094
Filing Date		2004-02-02
First Named Inventor	Gross	3
Art Unit		3621
Examiner Name		
Attorney Docket Number		JNG 2004-4

/DR/	20	5918014	1999-06-29	Robinson	
900000000000000000000000000000000000000	21	5884282	1999-03-16	Robinson	
	22	5842199	1998-11-24	Miller et al.	
	23	5790426	1998-08-04	Robinson	
	24	5664110	1997-09-02	Green et al.	
	25	5095195	1992-03-10	Harman et al.	
	26	6016475	2000-01-18	Miller et al.	
	27	5699526	1997-12-16	Siefert	
	28	5951643	1999-09-14	Shelton et al.	
	29	5991791	1999-11-23	Siefert	
/DR/	30	6026403	2000-02-15	Siefert	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /DR/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT I)

(Not for	submission	under 37	CFR	1.99)
-----------	------------	----------	-----	-------

Application Number	10771094
Filing Date	2004-02-02
First Named Inventor	iross
Art Unit	3621
Examiner Name	
Attorney Docket Number	JNG 2004-4

/DR/	31	6169997		2001-01-02	Papierniak et al.	
/DR/	32	2 6253203 2001-06-26 O'Flahe		O'Flaherty et al.		
/DR/	33	6480855	2002-11-12 Siefert			
/DR/	34	6502096		2002-12-31	Siefert	
/DR/	35	6714931		2004-03-30	Papierniak et al.	
If you wis	h to ac	d additional U.S. Paten	t citatio	n information pl	ease click the Add button.	Add
			U.S.P		CATION PUBLICATIONS	Remove
Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
/DR/	1	20030005428		2003-01-02	Roman	
/DR/	2	20050086127		2005-04-21	Hastings et al.	
/DR/	3	20010036271		2001-11-01	Javed	
If you wis	n to ac	d additional U.S. Publis			n information please click the Ado	
				FOREIGN PAT	ENT DOCUMENTS	Remove

INFORMATION DISCLOSURE Application Number 10771094 Filing Date 2004-02-02 First Named Inventor Gross Art Unit 3621 Examiner Name Attorney Docket Number Attorney Docket Number JNG 2004-4

Examiner Initial*	Cite No	Foreign Doo Number ³	cument	Country Code² j	Kind Code⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T5		
/DR/	1	0900424A1		EP		1999-10-03	ONSALE INC				
/DR/	2	0137539A2		WO		2001-05-25	FAIRMARKET INC				
If you wisl	h to ac	d additional	Foreign P	atent Document	citation	information pl	ease click the Add buttor	Add	·		
NON-PATENT LITERATURE DOCUMENTS Remove											
Examiner Initials*	i i (book magazine journal serial symposium catalog etc) date nages(s) volume_issue number(s)								T⁵		
	1										
If you wisl	h to ac	d additional	non-paten	t literature docu	ment cit	ation informati	on please click the Add b	outton Add			
				EX	AMINE	R SIGNATUR	E				
Examiner	Signa	ture /D	ennis Ruhl/				Date Considered	05/19/2009			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.											
Standard ST ⁴ Kind of doo	¹ See Kind Codes of USPTO Patent Documents at <u>www.USPTO.GOV</u> or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.										

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		10771094	
	Filing Date		2004-02-02	
	First Named Inventor	Gross		
	Art Unit		3621	
	Examiner Name			
	Attorney Docket Number		JNG 2004-4	

CERTIFICATION	STATEMENT
---------------	-----------

Please see 3	7 CFR 1.97	⁷ and 1.98 t	o make the	appropriate	selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

🖌 None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/John N. Gross/	Date (YYYY-MM-DD)	2006-06-19
Name/Print	John N. Gross	Registration Number	34175

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**.

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.
- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
 - 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.